

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CIVIL CASE NO. 3:07cv286

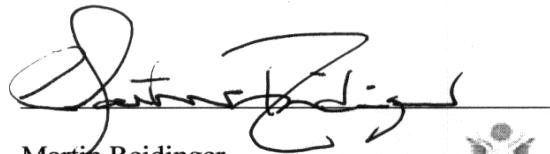
THIS MATTER is before the Court on its own motion.

On October 17, 2007, the Court entered an Order [Doc. 11], advising the Plaintiff that he had until November 16, 2007 to effect service of the summons and complaint on each of the Defendants in this case. The Order further advises the Plaintiff that failure to effect service by November 16, 2007 would result in a dismissal without prejudice of this action unless the Plaintiff showed, in writing, good cause why the time for service should be extended.

The time for effecting service of the summons and complaint has passed, and the Plaintiff has failed to respond in writing to the Court's Order. Accordingly, **IT IS, THEREFORE, ORDERED** that the Court *sua sponte* dismisses this action without prejudice for failure to prosecute and failure to effect service within the time allowed under Rule 4.

IT IS SO ORDERED.

Signed: November 26, 2007



Martin Reidinger
United States District Judge

